

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

2019 JUL 23 A 11:03

ALI AMIRI)
Plaintiff,)
v.)
THE BOARD OF TRUSTEES OF)
THE UNIVERSITY OF ALABAMA)
Defendants.)

Case No.: CV-18-00425-RDP
N.D. OF ALABAMA

**MOTION TO STOP DETENTION AND DEPORTATION OF THE PLAINTIFF BY THE
HOMELAND SECURITY**

Plaintiff Ali Amiri files this motion to respectfully request the Court to stop the deportation process that is started based on a report from the University of Alabama to the Homeland Security. They reported that the Plaintiff is no longer affiliated with the University and must be deported. The relevant facts are as follows.

1. Defendants filed a motion for Summary Judgement on March 22, 2019, the motion fully briefed by June 5, 2019, and it is pending the Court decision.
2. On July 17, 2019, Officer Walter Dawkins from Homeland Security contacted Plaintiff by phone regarding a report on Plaintiff's immigration status. Plaintiff answered all of the questions and there was an email communication which is attached as Exhibit A. Plaintiff believed that he had correct immigration documents.
3. Officer Walter Dawkins scheduled a meeting at 8:30 am on Monday, July 22, 2019, just to review the original documents. The Plaintiff showed up on time. All of the documents were

up to date¹, except a document issued by the University² (I-20), which was expired on July 31, 2018.

4. Officer Dawkins and his higher authorities told that the Plaintiff immediately will be detained without a bond. And will be deported. Also, they took all of the Plaintiff's original documents, including his Visa, Passport and I-94, etc. and did not return them to the Plaintiff.

5. Plaintiff presented documents about this ongoing Federal Lawsuit, as well as negotiations with the University. Officers agreed if Plaintiff present a document that he will be reinstated in the University of Alabama, he will not be detained. Otherwise, Plaintiff should show up again at 8:30 am on Friday, July 26, 2019, and will be detained without a bond and, and will be deported. If Plaintiff does not show up at 8:30 on Friday, the Officers will come to Plaintiff's apartment and will arrest him.

6. The Court should consider that Plaintiff started this lawsuit on March 19, 2018, and his I-20 from University was valid until July 31, 2018. Also, all of the governmentally issued documents are valid and up to date as of today. These documents include Visa and I-94, which are issued by the U.S. Government, and passport, which is issued by the Iranian Government. The only expired document is a University issued document³ (I-20), which is expired during this ongoing lawsuit.

7. Plaintiff respectfully requests that the Court order the University of Alabama to issue an up to date document acceptable by Homeland Security to stop the deportation process. The Court should consider that the Plaintiff is prose, and has no specific knowledge about the complexities of law. The Court may change this motion to partial summary judgement, if possible, and order on the reinstatement of the Plaintiff by the University of Alabama.

¹ Plaintiff had a valid Visa, passport, and I-94. All three are valid and up to date as of today.

² Exhibit B.

³ *Id.*

8. Also, it should be considered that there is no enough evidence to show that Plaintiff was dismissed.⁴ But rather, the undisputed documents which are produced by the University shows that the Plaintiff received a no-trespass warning from the University police officers on June 26, 2017.⁵ At this time Plaintiff was an active student working in multiple labs.⁶ And, even as of June 30, 2017 Plaintiff was not told anything about dismissal.⁷ Then the University did not change the student status of the Plaintiff and even did not process the alleged dismissal. An undisputed document from the University registrar shows that Plaintiff was a student at the University registrar system as of November 23, 2018.⁸ And there was nothing Plaintiff could do to change his status, as he was on no-trespass, no-email, and no-phone call warning.⁹

Conclusion:

The Homeland Security officers stated that they will arrest the Plaintiff on Friday 8:30 July 26, 2019. And if Plaintiff does not show up they will come to his apartment and arrest him. Plaintiff respectfully requests that the Court order the University to issue an updated document or reinstate the Plaintiff before Friday, June 26, 2019, so that the Plaintiff will not be incarcerated by the officers of the Homeland Security.

Respectfully submitted

Ali Amiri 7/23/2019

Ali Amiri
1315 Riverside Drive, Apartment 5
Tuscaloosa, Alabama 35401
(205) 331-6903
ali.amiri2718@gmail.com

⁴ Doc. 52, P. 29.

⁵ Doc. 53-1, p. 45. (UA Production – 001141).

⁶ Doc. 53-1, p. 17. (UA Production – 000109).

⁷ Doc. 53-1, p.34. (UA Production – 000915).

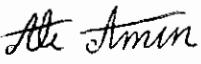
⁸ Doc. 50-1, p. 250. & Carvalho Depo. 419:10- 420:5.

⁹ Doc. 53-1, p. 45. (UA Production – 001141).

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2019, a true and correct copy of the forgoing has been served via U.S. Mail, to the party identified below:

J. Tobias Dykes
Office of Counsel
The University of Alabama System
Box 870106
Tuscaloosa, Alabama 35487-0106
(205) 348-5490
jtdykes@uasystem.edu



Ali Amiri

Exhibit A



Ali Amiri <ali.amiri2718@gmail.com>

Regarding the False Report from The University of Alabama

4 messages

Ali Amiri <ali.amiri2718@gmail.com>
To: Walter.e.Dawkins@ice.dhs.gov

Wed, Jul 17, 2019 at 3:39 PM

Mr. Walter Dawkins,

Thank you for the informative conversation we had on the phone today. Here is a brief narrative of the situation:

I am from Iran. In 2011, I came to the U.S. to develop a new kind of computer technology, which I developed successfully. This technology can be used to cure diabetes, as well as some other applications.

There was an ownership dispute between the University of Alabama and me. The Office of Governor Kay Ivey resolved the ownership issue, but the University did not follow the rules. (See attached #1).

The Office of Senator Richard Shelby suggested to file a federal lawsuit. I filed the lawsuit in March 2018, and I succeeded. (See attached #2).

Then the University tried to create visa problems for me to stop the litigation. (I think you have access to my visa documents). Governor Kay Ivey supported me. (See attached #3).

Finally, during the discovery process of the litigation, the University had to return some of the stolen properties (See attached #4), and offered a monetary settlement to stop the litigation. But they hold the prototypes, which was not acceptable. Now the Federal Court is about to enter an order regarding summary judgment.

If you want, you can get some more information from the following sources:

1) Office of Governor Kay Ivey: (334) 242-7120. You may talk to Mr. Bryan Taylor or Ms. Teresa Lee, they both know me.

2) FBI Officer Mr. Josh Alford, (205) 504-1714. (Birmingham headquarters).

My contact information are:

Address: 1315 Riverside Drive, Apt.5, Tuscaloosa, Alabama, 35401

Phone: 205-331-6903

Email: ali.amiri2718@gmail.com

Web: www.pzram.com

If you would like to meet, I can come to your office, any time at your convenience. Probably next week is better than this week, as the Court Order will give us some more information.

Best Regards,
Ali Amiri

4 attachments

-  **2_Federal Court Order.pdf**
100K
-  **1_Governor Kay Ivey First Letter.pdf**
289K
-  **4_Returned _ compare to FBI Report.pdf**
893K
-  **3_Governor Kay Ivey Second Letter.pdf**
3977K

Dawkins, Walter E <Walter.E.Dawkins@ice.dhs.gov>
To: Ali Amiri <ali.amiri2718@gmail.com>

Wed, Jul 17, 2019 at 4:29 PM

Mr Amiri,

Thank you for your prompt replies today. I am going to go over these documents as well as forward them to my Resident Agent in Charge here in Birmingham for review. I will update you as soon as possible.

Respectfully,

SA Walter Dawkins

Walter E Dawkins
Special Agent
Homeland Security Investigations
Office of the Assistant Special Agent in Charge
Birmingham Alabama
(O) 205-290-7150 ext 105
(F) 205-290-7156
Cell 205-354-1359



[Quoted text hidden]

Dawkins, Walter E <Walter.E.Dawkins@ice.dhs.gov>
To: Ali Amiri <ali.amiri2718@gmail.com>
Cc: "Gilmer, Douglas" <Douglas.Gilmer@ice.dhs.gov>

Fri, Jul 19, 2019 at 10:33 AM

Mr Amiri,

I would like to schedule a meeting for Monday of next week 8:30 am at our office.

Office location:

Homeland Security Investigations
234 Goodwin Crest Drive
Suite 400 (4th floor)
Homewood, Alabama 35209

Please bring any and all immigration documentation you may have as well as any student information/documentation you may have in your possession for review.

Feel free to contact me with any questions in regards to getting to our office. I look forward to seeing you Monday morning.

Best Regards,

Walter Dawkins

Walter E Dawkins
Special Agent
Homeland Security Investigations
Office of the Assistant Special Agent in Charge
Birmingham Alabama
(O) 205-290-7150 ext 105
(F) 205-290-7156
Cell 205-354-1359



From: Ali Amiri <ali.amiri2718@gmail.com>
Sent: Wednesday, July 17, 2019 3:40 PM
To: Dawkins, Walter E <Walter.E.Dawkins@ice.dhs.gov>
Subject: Regarding the False Report from The University of Alabama

Mr. Walter Dawkins,

[Quoted text hidden]

[Quoted text hidden]

Ali Amiri <ali.amiri2718@gmail.com>
To: "Dawkins, Walter E" <Walter.E.Dawkins@ice.dhs.gov>
Cc: "Gilmer, Douglas" <Douglas.Gilmer@ice.dhs.gov>

Fri, Jul 19, 2019 at 11:06 AM

Mr. Dawkins,

This is to confirm that I received your email and I will come to meet you on Monday 7/22/2019 at 8:30 am.

Regards,
Ali Amiri

[Quoted text hidden]

Exhibit B

Department of Homeland Security
U.S. Immigration and Customs Enforcement

I-20, Certificate of Eligibility for Nonimmigrant Student Status
OMB NO. 1653-0038

SEVIS ID: N0007835260

SURNAME/PRIMARY NAME Amiri	GIVEN NAME Ali	Class of Admission F-1
PREFERRED NAME Ali Amiri	PASSPORT NAME	
COUNTRY OF BIRTH IRAN	COUNTRY OF CITIZENSHIP IRAN	
DATE OF BIRTH 13 DECEMBER 1978	ADMISSION NUMBER	
FORM ISSUE REASON CONTINUED ATTENDANCE	LEGACY NAME Ali Amiri	ACADEMIC AND LANGUAGE

SCHOOL INFORMATION

SCHOOL NAME The University of Alabama The University of Alabama	SCHOOL ADDRESS Capstone International Services, Box 870254, Tuscaloosa, AL 35487
SCHOOL OFFICIAL TO CONTACT UPON ARRIVAL Charter Morris Director	SCHOOL CODE AND APPROVAL DATE ATL214F01174000 17 JULY 2002

PROGRAM OF STUDY

EDUCATION LEVEL DOCTORATE	MAJOR 1 Physics, General 40.0801	MAJOR 2 None 00.0000
PROGRAM ENGLISH PROFICIENCY Required	ENGLISH PROFICIENCY NOTES Student is proficient	EARLIEST ADMISSION DATE 17 JULY 2011
START OF CLASSES 16 AUGUST 2011	PROGRAM START/END DATE 16 AUGUST 2011 - 31 JULY 2018	

FINANCIALS

ESTIMATED AVERAGE COSTS FOR: 12 MONTHS		STUDENT'S FUNDING FOR: 12 MONTHS	
Tuition and Fees	\$ 26,950	Personal Funds	\$ 0
Living Expenses	\$ 19,350	Graduate Assistantship	\$ 53,194
Expenses of Dependents (1)	\$ 3,800	Funds From Another Source	\$
Other	\$ 0	On-Campus Employment	\$
TOTAL	\$ 50,100	TOTAL	\$ 53,194

REMARKS

No unusual delay. Original length of time given to complete program is not reasonable for an average student in program.

SCHOOL ATTESTATION

I certify under penalty of perjury that all information provided above was entered before I signed this form and is true and correct. I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form. The school has determined that the above named student's qualifications meet all standards for admission to the school and the student will be required to pursue a full program of study as defined by 8 CFR 214.2(f)(6). I am a designated school official of the above named school and am authorized to issue this form.

X Charter Morris DATE ISSUED 09 December 2016 PLACE ISSUED Tuscaloosa, AL
SIGNATURE OF: Charter Morris, Director

STUDENT ATTESTATION

I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that I seek to enter or remain in the United States temporarily, and solely for the purpose of pursuing a full program of study at the school named above. I also authorize the named school to release any information from my records needed by DHS pursuant to 8 CFR 214.3(g) to determine my nonimmigrant status. Parent or guardian, and student, must sign if student is under 18.

X Ali Amiri DATE 12/13/2016
SIGNATURE OF: Ali Amiri
NAME OF PARENT OR GUARDIAN SIGNATURE ADDRESS (city/state or province/country) DATE